

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ANDREW VASQUEZ,	§	
	§	
Plaintiff,	§	
	§	Civil Action No. 3:07-CV-0059-D
VS.	§	
	§	
CITY OF GRAND PRAIRIE, et al.,	§	
	§	
Defendants.	§	

ORDER

After making an independent review of the pleadings, files, and records in this case, and the June 23, 2008 report and recommendation of the magistrate judge, the court concludes that the report and recommendation are correct, and they are adopted by the court. Accordingly, defendants' February 1, 2008 motion for summary judgment is granted.

Defendants' June 23, 2008 motion concerning plaintiff's various untimely filings is denied without prejudice as moot. Treating plaintiff's letter to the court, filed July 7, 2008 and docketed as document no. 50, as a motion, the motion is denied. Plaintiff has not shown that he is entitled to appointment of counsel. Regarding plaintiff's request for discovery, the magistrate judge properly denied plaintiff's earlier motion for discovery on the basis that the discovery deadline had expired. Plaintiff did not file for an extension of the discovery deadline, and did not explain his failure to comply with the deadline. The magistrate judge also properly determined that defendant Bradley A. Leonard ("Officer Leonard") was not required to produce his disciplinary file until after the immunity issue was decided, and the court has concluded that Officer Leonard is entitled to qualified immunity. To the extent plaintiff's letter includes objections to the June 23, 2008 report and recommendation of the magistrate judge, they are overruled.

Plaintiff's July 8, 2008 motion to have judges removed is denied. The motion is untimely, and it is essentially based on plaintiff's disagreement with judicial rulings made in this case.

SO ORDERED.

August 21, 2008.



SIDNEY A. FITZWATER
CHIEF JUDGE